



08-11-05

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Atty. Dkt. No. 036481-0135

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joel R. HAYNES *et al.*
Title: ADJUVANTED GENETIC
VACCINES
Appl. No.: 09/433,777
Filing Date: November 3, 1999
Examiner: A. M. S. Wehbe
Art Unit: 1632

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 423498783 US (Express Mail Label Number)	AUGUST 10, 2005 (Date of Deposit)
Charles J. Schreck (Printed Name)	
Charles J. Schreck (Signature)	

**PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(b)**

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Petition is in reply to the Notice of Abandonment mailed January 25, 2005.
Applicants hereby petition for withdrawal of the holding of abandonment.

Applicants filed a change of correspondence address with the Patent Office on July 1, 2004, which was duly date-stamped as received on that date by the Office. See the appended photocopies of the date-stamped postcard and Correspondence Address Change notification (see Appendices A and B). Unfortunately, the Office Action dated July 13, 2004, still was mailed to the prior address of record, namely to Alisa Harbin at Chiron Corporation, Emeryville, California (see Appendix C, a copy of the cover page to the Office Action).

The undersigned, therefore, never received a copy of the Office Action and, consequently, was not able to file a response to the Office Action prior to the end of the third extension, January 13, 2005.

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In view of the foregoing, Applicants request that the Patent Office withdraw the holding of abandonment of this application and return the application to pending status.

A check in the amount of \$1,500.00 is enclosed for the amount stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Applicants also would like to point out that the Attorney Docket Number reference for this application has changed, from "APF-18.20" to "036481/0135." The Examiner is invited to contact the undersigned by phone to expedite this process.

Respectfully submitted,

Date August 10, 2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

By V.S. Mohan-Ram
#55,459 V.MOHAN-RAM
for: Richard C. Peet
Attorney for Applicant
Registration No. 35,792



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Respectfully submitted,

Date August 10, 2005

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#55,459 V. MOHAN-RAM
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Attorney for Applicant
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Title: ADJUVANTED GENETIC VACCINES
Inventors: Joel R. HAYNES et al.
Appl. No.: 09/433,777

Dkt. No. 036481-0135
JAMS/SM/daf

- Correspondence Address change (1 pg.)

Date Filed: July 1, 2004

Respectfully,
Foley & Lardner LLP



18

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Title: ADJUVANTS GENETIC VACCINES
Appl. No.: 09/433,777
Filing Date: 11/03/1999
Examiner: Anne WEHBE
Art Unit: 1632

CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant's attorney respectfully requests that the records of the United States Patent and Trademark Office in connection with the above-identified application be changed to show the following customer number for all future communications.

Customer Number: 22428

Thus, please address all correspondence in this application to:

Richard C. Peet
Foley & Lardner LLP
3000 K Street N.W., Suite 500
Washington, D.C. 20007

Respectfully submitted,

Date 1 July 2004

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40,413



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/433,777	11/03/1999	JOEL R. HAYNES	APF-18.20	2990

7590

07/13/2004

ALISA A. HARBIN
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EMERYVILLE, CA 94608-2916

EXAMINER

WEHBE, ANNE MARIE SABRINA

ART UNIT

PAPER NUMBER

1632

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.